



04249

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT TRADEMARK OFFICE

APPLICANTS: JAMES M. TIBBITT, GEORGE E.) PATENT APPLICATION
ROTTER, DAVID P. SINCLAIR, GARY)
T. BROOKS, RAYMOND T.)
BEHREND)
APPLICATION NO.: 10/028,167) Group Art Unit:
CONFIRMATION NO.: 3418) 1773
FILED: OCTOBER 25, 2001) Examiner: Vivian Chen
FOR: OXYGEN SCAVENGING MONOLAYER BOTTLES) Attorney Docket No.:
37,270

RECEIVED
JUN 23 2003
TC 1700#11
07/09/03
ASPetition To Correct Inventorship Under 37 CFR 1.48(a)

Commissioner
for Patents
P. O. Box 1450
Alexandria, VA
22313-1450

Sir:

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH
SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE
ADDRESSED TO: COMMISSIONER FOR PATENTS, ALEXANDRIA,
VIRGINIA 22313-1450

on June 18 2003 By Carol M. Neth
(Signature)

CAROL M. NETH
(Typed or Printed Name of Person Signing

EV345732556 US. Certificate)

Applicants petition to correct the inventorship of the above-identified patent application in which a Declaration filed under 37 CFR 1.63 was filed without all of the proper named inventors. The filing of the previous Declaration with an incorrect inventorship was made in error without deceptive intention.

Please amend this application to add as an inventor:

Paul J. Cahill

a citizen of the United States, with a Residence at

25 W 628 Red Maple Lane

Wheaton, Illinois 60187

Enclosed are:

1. A statement by Paul J. Cahill attesting that the inventorship error occurred without deceptive intent.
2. A petition fee of \$130 as set forth in 37 CFR 1.17(i).
3. A revised Declaration signed by all inventors.

(033103)

06/20/2003 ZJUHR1 00000017 10028167


02 FC:1460

130.00 OP

4. A written consent of the assignee of the Applicants, BP Corporation North America Inc.

Correction of inventorship as described in this Petition is respectfully requested.

Respectfully submitted,


Jennifer M. Hall
Attorney for the Applicants
Registration Number 38,169
(630) 821-2446

BP AMERICA INC.
Docket Clerk, BP Legal, M.C. 5East
4101 Winfield Road
Warrenville, Illinois 60555



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PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: JAMES M. TIBBITT, GEORGE E.) PATENT APPLICATION
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) 37,270

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Statement by Paul J. Cahill Under 37 CFR 1.48(a)

Commissioner
 for Patents
 P. O. Box 1450
 Alexandria, VA
 22313-1450

Sir:

CERTIFICATE OF MAILING	
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, ALEXANDRIA, VIRGINIA 22313-1450	
on <u>June 18</u> 20 <u>03</u> By <u>Carol M. Neth</u>	(Signature)
<u>EV345732556US</u>	
<u>CAROL M. NETH</u>	
(Typed or Printed Name of Person Signing Certificate)	

I, Paul J. Cahill, a citizen of the United States, with a post office address and residence at 25 W 628 Red Maple Lane, Wheaton, Illinois 60187, state:

That I am an inventor of an invention claimed in the above-identified patent application;

That my name was omitted in error from the application when filed in the Patent and Trademark Office; and

That this inventorship error occurred without deceptive intention.

Paul J. Cahill
 Paul J. Cahill
June 13, 2003
 Dated:



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PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: JAMES M. TIBBITT, GEORGE E.) PATENT APPLICATION
ROTTER, DAVID P. SINCLAIR, GARY)
T. BROOKS, RAYMOND T.)
BEHREND)
APPLICATION NO.: 10/028,167) Group Art Unit: 1773
CONFIRMATION NO.: 3418)
FILED: OCTOBER 25, 2001) Examiner: Vivian Chen
FOR: OXYGEN SCAVENGING MONOLAYER BOTTLES) Attorney Docket No.:
37,270

RECEIVED
JUN 23 2003
TC 1700Consent By Assignee Under 37 CFR 1.48(a)

Commissioner
for Patents
P. O. Box 1450
Alexandria, VA
22313-1450

Sir:

CERTIFICATE OF MAILING	
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, ALEXANDRIA, VIRGINIA 22313-1450	
on June 18 2003	By Carol M. Neth
	(Signature)
EV345732556US CAROL M. NETH	
(Typed or Printed Name of Person Signing Certificate)	

BP Corporation North America Inc., a corporation of Indiana, as assignee to persons named as inventors in the above-identified patent application as filed in the Patent and Trademark Office, consent to the addition of Paul J. Cahill as an added named inventor.

A copy of the new assignment with the currently-named inventors is attached. The original of this assignment is being filed separately with the PTO.

The undersigned, as Vice-President for BP Corporation North America Inc., has authority to act before the PTO on behalf of the assignee and to submit this consent by the assignee.

Respectfully submitted,

Frank J. Sroka
Attorney for the Applicants
Registration Number 27,597
(630) 821-2447

BP AMERICA INC.
Docket Clerk, BP Legal, M.C. 5East
4101 Winfield Road
Warrenville, Illinois 60555



(Joint Inventors)

Assignment To
BP Corporation North America Inc.
Warrenville, Illinois, United States of America

Application Number: 10/028,167

Filed: October 25, 2001

RECEIVED
JUN 23 2003
TC 1700

Whereas we,

First inventor	James M. Tibbitt
Post Office Address	741 Buckingham Court, Wheaton, Illinois 60187
Residence	741 Buckingham Court, Wheaton, Illinois 60187
Second inventor	Paul J. Cahill
Post Office Address	25 W 628 Red Maple Lane, Wheaton, Illinois 60187
Residence	25 W 628 Red Maple Lane, Wheaton, Illinois 60187
Third inventor	George E. Rotter
Post Office Address	1412 Kallien Ave., Naperville, Illinois 60540
Residence	1412 Kallien Ave., Naperville, Illinois 60540
Fourth inventor	David P. Sinclair
Post Office Address	26W471 Harrison St., Winfield, Illinois 60190
Residence	26W471 Harrison St., Winfield, Illinois 60190
Fifth inventor	Gary T. Brooks
Post Office Address	737 East Bauer Road, Naperville, Illinois 60563
Residence	737 East Bauer Road, Naperville, Illinois 60563
Sixth inventor	Raymond T. Behrends
Post Office Address	425 North Stewart Avenue, Lombard, Illinois 60148
Residence	425 North Stewart Avenue, Lombard, Illinois 60148
Seventh inventor	
Post Office Address	
Residence	
Eighth inventor	
Post Office Address	
Residence	

have invented certain new and useful improvements in

OXYGEN SCAVENGING MONOLAYER BOTTLES

identified as Tibbitt et al.

Attorney Docket 37,270

and described in an application for patent in the United States of America identified above and executed by us, respectively; and

Whereas, **BP Corporation North America Inc.**, a corporation duly organized and existing under the laws of the State of Indiana, U.S.A., and having a principal office and place of business at Warrenville, Illinois, U.S.A., desires to record a specific assignment to the entire right, title and interest in and to the above-identified invention or inventions, and in and to any Letters Patent therefor in the United States of America and countries foreign thereto;

Now therefore, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration by each of us received, the receipt of which is hereby acknowledged, we jointly and severally have sold and assigned, and hereby do sell and assign, to **BP Corporation North America Inc.**, its successors and assigns, the entire right, title and interest (a) in the above-identified invention or inventions and all improvements and modifications thereof, (b) in the above-identified application, all provisional and non-provisional applications for patent upon which the above-identified application claims benefit, and all other applications for patent of the United States of America and countries foreign thereto for the above-identified invention or inventions and all improvements and modifications thereof, (c) in all Letters Patent which may issue from said applications in the United States of America and countries foreign thereto, and (d) in all divisions, reissues, continuations, conversions, and extensions of said applications and Letters Patent; and covenant we have the full right so to do; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue all United States Letters Patent on the invention or inventions included herein to **BP Corporation North America Inc.** as assignee of the entire interest.

We further agree that we shall communicate to **BP Corporation North America Inc.**, its successors and assigns, or their representatives or agents all facts and information known or available to us relating to said invention or inventions, improvements and modifications including evidence for interference, reexamination, reissue, opposition, revocation, conversion, extension, or infringement purposes or other legal, judicial or administrative proceedings, whenever requested; testify in person or by affidavit as required by **BP Corporation North America Inc.**, its successors and assigns, in any such proceeding in the United States of America or a country foreign thereto; execute and deliver, on request, all lawful papers including, but not limited to, original, provisional, non-provisional, divisional, continuation, continuation-in-part, and reissue applications, renewals, assignments, powers of attorney, oaths, affidavits, declarations, and depositions; and provide all reasonable assistance to **BP Corporation North America Inc.**, its successors and assigns, in obtaining and enforcing proper protection for said invention or inventions, improvements and modifications under the intellectual property laws of the United States of America and countries foreign thereto.

In testimony whereof, we have hereunto set our hands and seals, respectively, on the dates set after our respective signatures.

<u>James M. Livitt</u>	(L.S.),	<u>June 13</u>	, 20 <u>03</u>
<u>Paul J. Cahill</u>	(L.S.),	<u>June 13</u>	, 20 <u>03</u>
<u>[Signature]</u>	(L.S.),	<u>June 18</u>	, 20 <u>03</u>
<u>[Signature] P. S. J.</u>	(L.S.),	<u>June 16</u>	, 20 <u>03</u>
<u>[Signature]</u>	(L.S.),	<u>June 16</u>	, 20 <u>03</u>
<u>[Signature]</u>	(L.S.),	<u>JUNE 16</u>	, 20 <u>03</u>
_____	(L.S.),	_____	, 20 ____
_____	(L.S.),	_____	, 20 ____

State of ILLINOIS)
County of COOK)SS

Before me this 13th day of JUNE, 2003 personally appeared each person listed below:

JAMES M. TIBBITT

each of whom is known to me to be the same person whose name is subscribed to the foregoing instrument, and each of whom acknowledged such instrument was signed, sealed and delivered as that person's free and voluntary act for the uses and purposes set forth therein.

Seal



Carol A. Wilson
Notary Public

State of ILLINOIS)
County of COOK)SS

Before me this 13th day of JUNE, 2003, personally appeared each person listed below:

PAUL J. CAHILL

each of whom is known to me to be the same person whose name is subscribed to the foregoing instrument, and each of whom acknowledged such instrument was signed, sealed and delivered as that person's free and voluntary act for the uses and purposes set forth therein.

Seal



Carol A. Wilson
Notary Public

State of Illinois)
County of DePue)SS

Before me this 16th day of June, 2003, personally appeared each person listed below:

Larry T. Bishop, Raymond T. Beltrami, George E. Rottler, David P. Sundae

each of whom is known to me to be the same person whose name is subscribed to the foregoing instrument, and each of whom acknowledged such instrument was signed, sealed and delivered as that person's free and voluntary act for the uses and purposes set forth therein.

Celeste Hightower
Notary Public

Seal



State of _____)
County of _____)SS

Before me this _____ day of _____, 20____, personally appeared each person listed below:

each of whom is known to me to be the same person whose name is subscribed to the foregoing instrument, and each of whom acknowledged such instrument was signed, sealed and delivered as that person's free and voluntary act for the uses and purposes set forth therein.

Notary Public

Seal



04249

PATENT TRADEMARK OFFICE



SUBSTITUTE DECLARATION FOR PATENT APPLICATION

Attorney Docket No.: 37,270RECEIVED
JUN 23 2003
TC 1700

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

OXYGEN SCAVENGING MONOLAYER BOTTLES

the specification of which is attached hereto unless the following box is checked:

☒ was filed on October 25, 2001 as United States Application Number 10/028,167
or PCT International Application Number _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed

(Number) (Country) (Day/Month/Year Filed)

☐

(Number) (Country) (Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

60/243,504

(Application Number)

October 26, 2000

(Filing Date)

(Application Number)_____
(Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112,

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

<u>09/219,178</u> (Application Number)	<u>December 22, 1998</u> (Filing Date)	<u>U. S. Patent No. 6,406,776</u> (Status -- patented, pending, abandoned)
<u>PCT/US98/05239</u> (Application Number)	<u>March 17, 1998</u> (Filing Date)	<u>U. S. Patent No. 6,346,308</u> (Status -- patented, pending, abandoned)
<u>PCT/US98/02991</u> (Application Number)	<u>February 17, 1998</u> (Filing Date)	<u>U.S. Patent No. 6,506,463</u> (Status -- patented, pending, abandoned)
<u>PCT/US97/16712</u> (Application Number)	<u>September 22, 1997</u> (Filing Date)	<u>U.S. Patent No. 6,365,247</u> (Status -- patented, pending, abandoned)
<u>08/717,370</u> (Application Number)	<u>September 23, 1996</u> (Filing Date)	<u>U.S. Patent No. 6,083,585</u> (Status -- patented, pending, abandoned)

I hereby appoint Frank J. Sroka Registration No. 27,597, Stephen L. Hensley Registration No. 28,426, and Scott P. McDonald, Registration No. 34,841, and

Jennifer M. Hall Registration No. 38,169

as my attorneys/agents; the correspondence address of each is:

**BP America Inc.
Attn: Docket Clerk
Law Department
Mail Code 2207A
200 E. Randolph Drive
Chicago, Illinois 60601-7125**

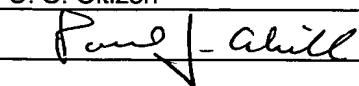
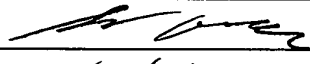
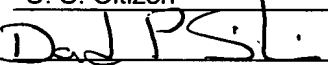
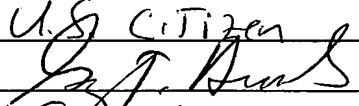
each of these attorneys/agents has full power to prosecute this application, to receive any Letters Patent, and to transact all business in the Patent and Trademark Office connected therewith; and each of Frank J. Sroka, Stephen L. Hensley, and Scott P. McDonald has full power of substitution, association and revocation, including the power to revoke the power of attorney of Jennifer M. Hall

Please direct all correspondence to the above address

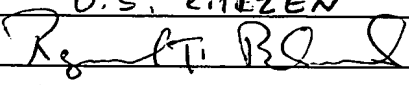
and all telephone calls to Jennifer M. Hall at **(630)821-2446**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of sole or first inventor	<u>James M. Tibbitt</u>
Mailing Address (including ZIP)	<u>741 Buckingham Court, Wheaton, Illinois 60187</u>
Residence (city+state or country)	<u>741 Buckingham Court, Wheaton, Illinois 60187</u>
Citizenship	<u>U. S. Citizen</u>
Inventor's signature	<u>James M. Tibbitt</u>
Date	<u>June 13, 2003</u>

Name of second inventor	<u>Paul J. Cahill</u>
Mailing Address (including ZIP)	<u>25 W 628 Red Maple Lane, Wheaton, Illinois 60187</u>
Residence (city+state or country)	<u>25 W 628 Red Maple Lane, Wheaton, Illinois 60187</u>
Citizenship	<u>U. S. Citizen</u>
Inventor's signature	<u></u>
Date	<u>June 13, 2003</u>
Name of third inventor	<u>George E. Rotter</u>
Mailing Address (including ZIP)	<u>1412 Kallien Ave., Naperville, Illinois 60540</u>
Residence (city+state or country)	<u>1412 Kallien Ave., Naperville, Illinois 60540</u>
Citizenship	<u>U. S. Citizen</u>
Inventor's signature	<u></u>
Date	<u>6/18/03</u>
Name of fourth inventor	<u>David P. Sinclair</u>
Mailing Address (including ZIP)	<u>26W471 Harrison St., Winfield, Illinois 60190</u>
Residence (city+state or country)	<u>26W471 Harrison St., Winfield, Illinois 60190</u>
Citizenship	<u>U. S. Citizen</u>
Inventor's signature	<u></u>
Date	<u>June 16, 2003</u>
Name of fifth inventor	<u>Gary T. Brooks</u>
Mailing Address (including ZIP)	<u>737 East Bauer Road, Naperville, Illinois 60563</u>
Residence (city+state or country)	<u>737 East Bauer Road, Naperville, Illinois 60563</u>
Citizenship	<u>U.S. Citizen</u>
Inventor's signature	<u></u>
Date	<u>July 16, 2003</u>

☒ Additional inventors are named on separately numbered sheets attached hereto.

Name of sixth inventor	Raymond T. Behrends
Mailing Address (including ZIP)	425 North Stewart Avenue, Lombard, Illinois 60148
Residence (city+state or country)	425 North Stewart Avenue, Lombard, Illinois 60148
Citizenship	U.S. CITIZEN
Inventor's signature	
Date	JUNE 16, 2003